Volume 7 - Number 2

ProEnglish

THE PROENGLISH Advocate

We Win! Supreme Court Rules in Favor of Alabama's Official English Law

By a 5-4 majority, the Supreme Court ruled in favor of Alabama in the case of *Alexander v. Sandoval* — a major victory for state official English laws across the country. ProEnglish was actively involved in assisting Alabama's appeal from the start. At the Supreme Court ProEnglish, together with 14 Congressmen, the English First Foundation, and the Center for American Unity, joined in filing a legal brief that argued strongly for upholding Alabama's official English law.

The case involved Martha Sandoval, a non-English speaking resident alien from Mexico who sued Alabama with the help of the Southern Poverty Law Center and the ACLU, for not making its state driver's license exam available in her native language (Spanish). Alabama had stopped giving its drivers' exams in foreign languages after voters passed an initiative making English the state's official language by a 9-1 margin in a 1990 voter referendum.

Although the Supreme Court decision turned on the technical issue of whether or not individuals can sue government agencies for unintentional discrimination, the ruling reversed lower court decisions that sought to nullify Alabama's official English law. Moreover, had it not been overturned, the *Sandoval* case would have created a new entitlement to government services in almost any number of foreign languages.

"For almost thirty years multicultural advocates have tried to win in court what they have consistently failed to win at the polls – rulings that overturn state official English laws," said ProEnglish executive director K.C. McAlpin. "This is a great victory for common sense, democracy, and the rule of law." McAlpin called on Congress to settle the language issue once and for all by passing a law declaring English the official language of government in the United States. A majority of twenty-six states have now declared English their official language.

A Cost that Can't be Measured

At one of the stops when they were talking (in Cantonese) she asked him whether he knew English. He said "A little." — from a *Boston Herald* article May 16, about a non-English speaking bus driver involved in an accident that killed four Massachusetts middle school students on a bus trip to Nova Scotia (see story p. 4).

The following information applies to the enclosed package in its entirety, ProEnglish is a project of U.S. U.S. is a 501(c)(3) tax-exempt organization and as such, can expend only a specific portion of its overall resources on lobbying activities. While your contribution will not be earmarked for a specific campaign, its availability at this time will assist us in meeting all of our goals. A copy of our latest financial report may be obtained from either the Secretary of State of New York, Albany, NY 12231 or from U.S., 445 East Mitchell St., Petoskey, MI 49770-2623. The official registration and financial information of U.S. may be obtained from the Pennsylvania Department of State by calling toll free, within Pennsylvania 1-800-732-0999. Registration does not imply endorsement. West Virginia residents my obtain a summary of the registration and financial documents from the Secretary of State, State Capitol, Charleston, WV 25305.

PRINTED ON RECYCLED PAPER

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Oakland California Adopts "Bilingual Spanish/Chinese Only" Hiring Policy

No English Speakers Need Apply

The large-scale immigration of non-English speaking immigrants into many American cities documented by the 2000 Census, is increasingly leading politicians to pander to the language demands of the new arrivals, instead of insisting they learn English.

On May 8th, the Oakland, California City Council adopted an ordinance requiring all new hires for city jobs that have "public contact" to be bilingual in either Chinese or Spanish, in addition to English. According to the new policy, native-born citizens of Oakland who speak only English, including most of the city's large African-American population, will not qualify. Press reports indicated that other cities might try to follow Oakland's lead.

Oakland businessman and ProEnglish board member Leo Sorensen, an immigrant himself, attended the city council meeting and denounced the policy as "turning America's historic policy of assimilating new immigrants upside down." He added "This is just absolutely wrong. For generations, immigrants have learned English as the first and most essential step in assimilating into mainstream life in this fabulous country. Why are our political leaders abandoning the formula that has made this the most successful country in the world?"

Sorensen said ProEnglish regards the Oakland ordinance as patently discriminatory toward English speaking Americans. He pointed out that the policy was an insult to new immigrants because it suggests that, unlike past generations of American immigrants, the new immigrants either cannot, or will not learn the language of their adopted country. Sorensen said ProEnglish would examine all possible avenues for overturning the new law, including possible legal action.

Californians and others who want to assist in this effort can contact Mr. Sorensen by writing him c/o ProEnglish at the address below.

The ProEnglish Advocate

Executive Director
K.C. McAlpin

Board
Bob Park, Chairman
Gerda Bikales
John Tanton
Leo Sorensen

The ProEnglish Advocate is published quarterly by ProEnglish. ProEnglish is a non-profit membership-based organization dedicated to educating the American people about the importance of preserving English as our common language and making it the official language of the U.S. All contributions to ProEnglish are tax-deductible.

ProEnglish

1601 N. Kent Street, Suite 1100
Arlington, Virginia 22209
tel. (703) 816-8821 fax (703) 816-8824
Website: www.proenglish.org

Permission is hereby granted to copy or distribute any or all of ***The ProEnglish Advocate***.

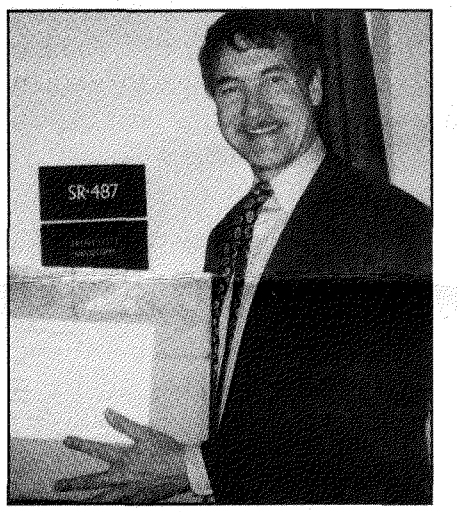
LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ProEnglish Tells Congress and the Bush Administration Why 13166 Must be Repealed

The House Judiciary Subcommittee on Commercial and Administrative Law held a hearing March 22, on the impact of recently issued executive orders and what Congress should do to correct them. ProEnglish was one of the groups that submitted testimony about the urgent need to overturn Executive Order 13166 — the order issued by President Clinton that would force every recipient of federal aid, including fire departments, libraries, local hospitals, schools, and government offices to provide interpreter and translations services in many foreign languages or face prosecution for civil rights violations.

In prepared testimony, ProEnglish executive director K.C. McAlpin told Subcommittee Chairman Bob Barr (R-GA) and the other members of the committee that E.O. 13166 was a blatantly illegitimate use of executive power, and that the Congress should move expeditiously to revoke it by passing H.R. 969 (see related story). The full text of ProEnglish's testimony is available on ProEnglish's website at www.proenglish.org.

Subsequently on May 1, McAlpin and ProEnglish outside legal counsel Barnaby Zall met with the White House Domestic Policy staff to urge the Bush Administration to revoke E.O. 13166 without waiting for Congress to act.



ProEnglish Exec. Director KC McAlpin delivers petitions urging E.O. 13166 repeal to Senator Trent Lott's Office.

Four Compelling Reasons Why Executive Order 13166 Should be Repealed

- The order's radical reinterpretation of civil rights law was based almost entirely on a federal court decision, *Alexander v. Sandoval*, that was recently overturned by the U.S. Supreme Court (see story p.1).
- The order is falsely entitled "Improving Access to Services" for non-English speaking persons when, in fact, it creates a new civil right to demand government services in virtually any of the over 300 languages spoken in the U.S. — certain to impose billions of dollars in new costs on American taxpayers and result in a new wave of lawsuits claiming civil rights violations.
- The order wrongly equates "national origin discrimination" under the 1964 civil rights law with the failure to provide services in languages other than English – a radical new definition of discrimination that was never debated or approved by Congress.
- The order is destructive of national unity and contrary to the will of a vast majority of the American people who want English to be the official language of the United States.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

President Bush Begins Giving Weekly Radio Address in Spanish

In an apparent effort to gain favor with multicultural groups and non-English speaking Hispanic immigrants, President Bush began giving his weekly presidential radio address in Spanish as well as English. The President's first such address in Spanish coincided with "Cinco de Mayo" (May 5th), a Mexican national holiday. However, the White House announced that giving the weekly address in both English and Spanish would be standard procedure from now on. The Democrats quickly announced they would follow suit.

ProEnglish chairman, Bob Park commented, "We are deeply saddened that the President has chosen to take this course. We certainly don't object to the president displaying his command of Spanish and encouraging Americans to learn foreign languages by his example. In fact, in today's world we encourage it," Park said. "But we think it is a serious mistake to abandon our nation's historic unity in the English language, and by adopting this policy, that is the direction he is taking us," Park added.

Park noted that by giving the weekly address in Spanish, the president was ignoring all other foreign languages spoken in the U.S., and he urged the president to listen to the American people who are overwhelmingly opposed to bilingual government.

ProEnglish members can contact President Bush by writing:

The Honorable George W. Bush
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500
or by calling (202) 456-1414

Bus Driver's Inability to Read English May Have Caused Death of Four

A Chinese immigrant bus driver's inability to understand English may have been the chief cause of a tragic accident that cost the lives of four Massachusetts middle school students this April. The students were killed when the driver of the charter bus they were riding in got confused and took a wrong exit while traveling too fast near St. John, New Brunswick, Canada.

The driver's wife told a newspaper that her husband could not speak English. And the Canadian police had to resort to using a Chinese language interpreter to question the driver after the accident. The father of one of the victims questioned how the driver could have passed a New York state exam and obtained his commercial driver's license in 1993 without speaking English well.

Such language-related highway tragedies could become far more common in the U.S. soon thanks to Executive Order 13166. U.S. Department of Transportation (DOT) guidelines for implementing 13166 take direct aim at states that might be tempted to use public safety as a reason for not giving driver's exams in a foreign language:

"Assertions of safety justifications would generally not be accepted unless accompanied by statistical and/or scientific casualty studies showing a positive correlation between limited English proficiency and crash/injury rates substantially higher than would be expected due to chance." (Fed. Reg.: Jan. 22, 2001, Vol. 66, No. 14, 6733-6747)

Of course, thanks to political sensitivities, neither DOT nor any other government agency is likely to conduct the kind of English proficiency tests of people involved in traffic accidents that might prove such a "positive correlation." So the likelihood of many more innocents being killed on our highways unfortunately is very real.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Texas State Senator Conducts Official State Meeting in Spanish

Declaring "Estamos unidos hacia un destino comun," (translation: "We are united toward a common goal"), Texas State Senator David Sibley (R-Waco) took a big step toward converting the Lone Star State into a linguistically divided society by conducting an official meeting of his Senate Business and Commerce Committee meeting entirely in Spanish. The well-publicized fifteen-minute meeting was conducted under the glare of TV camera lights, and showcased a speech given in Spanish by Sibley, with English subtitles shown on television screens.

Commenting ProEnglish chairman Bob Park said, "By conducting an official legislative meeting entirely in Spanish, Sibley has gone far beyond the demands of the most radical multiculturalists. Imagine the reaction in Mexico if a state government official were to conduct an official meeting entirely in English."

Texans, surveying news reports of violent conflicts between members of linguistically and culturally divided countries from around the world, might be tempted to wonder about the wisdom of the "common goal" politicians like Sibley say they are pursuing. But Sibley himself brushed aside criticism of his Spanish-only committee meeting saying "We had one person that wrote us a real hot letter. We wrote them a nice letter back and I ended it by saying *Adios*."

ProEnglish supporters in Texas who would like to communicate with State Senator Sibley can write him at: The Honorable David Sibley, 801 Austin Avenue, Suite 1020, Waco, Texas 76701.

Professional Ethnic Group Lobbyists Block Official English Bill in Iowa

A well-organized outpouring of multicultural advocates and ethnic group representatives at a rally and public hearing on an official English bill after it passed the Iowa State Senate was enough to intimidate Republican leaders, and the legislation died for lack of action by the House.

At a rally attended by a hundred protesters at the state capitol, Amnesty International spokesman Ivan Webber likened the language someone speaks to their race or ethnicity. "No one would propose that we have a single, official ethnicity," he declared. "But in fact, official English does create an official ethnicity. It makes speakers of English official and better than other people," he said.

Although a recent poll by the *Des Moines Register* showed an overwhelming 81 percent of Iowans favored declaring English the official language, the bill's opponents far outnumbered supporters at the public hearing. Apparently, the pressure tactics worked. Republican majority leaders in the House decided not to allow the bill to come up for a vote and the deadline for action in this year's legislative session lapsed.

Even before the House leadership failed to act on the Senate-passed bill, House Speaker Brent Siegrest (R-Council Bluffs) announced he was wavering, saying, "It's not my favorite bill." ProEnglish supporters in Iowa can contact their State Representatives by writing them c/o State House of Representatives, Des Moines, IA 50319.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Victory in Utah! Judge Rules Official English Law Constitutional

ProEnglish and the official English movement scored a major court victory when a Utah district judge ruled against an ACLU suit challenging the constitutionality of Utah's official English law. The law had been adopted in a statewide voter initiative that passed by a 2-1 margin last fall. ProEnglish attorneys played a critical role convincing Judge Ronald H. Nehring to uphold the law by filing a legal brief that aggressively defended the law's constitutionality.

ProEnglish's intervention turned out to be critical when the Utah Attorney General's office mounted a very weak defense of the measure in a transparent effort to get the law killed. ProEnglish Chairman Bob Park commented, "The judge's ruling that the law was constitutional across the board was a welcome rebuke to the [Utah] Attorney General's office who had publicly sided with the plaintiffs in saying that a key provision of the law should be overturned." Park added, "What ever happened to state officials' duty to vigorously defend duly constituted state laws, including laws with which they may personally disagree?"

The ACLU is appealing Judge Nehring's decision to the Utah Supreme Court. ProEnglish plans to continue its intervention by filing an additional friend-of-the-court brief with the high court. Utah is the 26th state to have adopted English as its official language.

Doctor Protests Lead Health & Human Services to Review Executive Order 13166

Labeling it another "unfunded mandate," the American Medical Association (AMA) released a letter dated February 13th that it sent to Health and Human Services Secretary Tommy Thompson urging him to immediately rescind the department's implementation of Executive Order 13166.

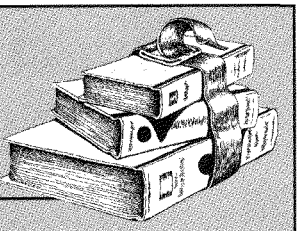
The letter pointed out that E.O. 13166 would require physicians to hire clinically trained interpreters at their own expense and noted, "the cost of retaining an interpreter far exceeds the compensation paid by Medicaid for an office visit … and is likely ultimately to discourage physicians from treating any Medicaid patients, thus further exacerbating problems with patient access to needed physician services."

The AMA was joined by all 50 state medical societies and many other groups representing physicians and health care professionals who protested the huge cost and Alice-In-Wonderland nature of this order that requires any recipient of federal aid to provide foreign language interpreters and translators on demand, or face prosecution for civil rights violations. The groups cite one example in which a doctor spent $237 for an interpreter and was paid just $38 for the visit.

The physicians are discovering that the allocation of scarce resources to serve the real needs of people is of scant concern to multicultural zealots who want to transform American society regardless of cost, or the harm they do to people in the process.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Dispatches from the Bilingual Ed Battlefront



GAO Report Reveals the Truth Behind the Office of Civil Rights Denial that it Promotes Bilingual Education

Despite a 30-year record of failure, bilingual education – a euphemism for teaching non-English speaking students in their native language instead of English – continues to benefit from its aggressive promotion by the Office of Civil Rights (OCR) in the U.S. Department of Education.

The facts were revealed in a U.S. General Accounting Office (GAO) Report issued this February that showed that in nearly one out of five cases reviewed by GAO, the OCR attempted to pressure school districts to use bilingual education for teaching non-English speaking students. In OCR's Region 11 in northern California, the GAO found that the Department of Education bureaucrats tried to influence school districts in over a third of the cases examined.

The GAO report contradicts former OCR Assistant Secretary Norma Cantu, who testified to the U.S. House of Representatives in 1999 that the OCR "does not enforce any . . . policy that encourages the use of bilingual education programs as opposed to other educational approaches to meet the needs of [non English-speaking] students."

Oregon Legislator Sponsors Bill to End State's Bilingual Education Program

Oregon State Senator Charles Starr (R-Hillsboro), citing the undeniable academic results achieved by California school children in the wake of the state's decision to end bilingual there, has introduced Bill 919 to end bilingual education in Oregon. Starr is chairman of the State's Senate Education Committee. State Rep. Cliff Zauner (R-Woodburn) has introduced a companion bill in the House.

But the measure drew the immediate and well-organized opposition of the state's bilingual education industry, anxious to protect higher bilingual education salaries and tens of millions of dollars in educational subsidies, perks, and administrative funding. Opposition was led by the Oregon legislature's first Hispanic member, State Senator Susan Castillo (D-Eugene), who said she was "totally opposed" to the legislation at an education committee hearing on the bill. Sen. Starr countered that the special English immersion classes introduced in California have proven so popular that a majority of the state's Hispanic population now favors them.

ProEnglish supporters in Oregon who wish to contact their state legislators can write to them at: 900 Court Street NE, Salem, OR 97301, or by accessing the state legislature website: at www.leg.state.or.us.

The Heart of the Matter

"Bilingual education has become a multibillion-dollar business of bureaucrats and militant separatists . . . Any major change in education is wrapped up in money, power and control. Now we have a huge bureaucracy of administrators, bilingual psychologists and textbook publishers producing books in Spanish. Whether anyone wants to admit it or not, there's a huge investment in keeping [bilingual education] going. Unfortunately, the result is a poorer education for about 1,200 children in Rhode Island and the waste of many dollars that could be better spent elsewhere."

— from an article in the *Providence Journal-Bulletin*, April 1, 2001 by Rhode Island Democratic State Representative Myrna C. George

Albany NY Data Shows Drop-Out Rate for Limited English Proficient Students Exceeds 30 Percent

Recent data from Albany New York city schools shows that 31 percent of Limited English Proficient (LEP) students are dropping out of school, up sharply from 17 percent in 1998.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Overturning 13166 May Depend on House of Representatives

H.R. 969, a bill that would revoke Executive Order 13166, has attracted 52 cosponsors in the House of Representatives, including 5 powerful committee chairmen. Introduced by House Armed Services Committee Chairman, Bob Stump (R-AZ), H.R. 969 also says that no federal funds can be used to create or enforce any entitlement to services in a language other than English.

President Clinton issued 13166 last August. It requires all recipients of federal funds, including state and local government offices and private contractors, to begin providing oral interpreters and written translations for people speaking foreign languages, or risk prosecution for civil rights violations.

For its legal authority, E.O. 13166 depended almost entirely on a single federal court decision, *Sandoval v. Hagan*, that has since been thrown out by the U.S. Supreme Court (see story p.1).

But any hope of revoking 13166 may depend on convincing the House to pass H.R. 969. The reason: The Bush Administration seems reluctant to revoke 13166 on its own, for fear of being painted as unfriendly to non-English speaking immigrants by professional ethnic group activists and the media. Congressional passage of H.R. 969, on the other hand, would be a major victory in the battle to preserve our common language.

English & the National Interest

"Cultural and religious diversity does not pose a threat to the national interest *as long as public policies ensure civic unity*. Such policies should help newcomers learn to speak, read, and write English effectively."

— Barbara Jordan, former U.S. Representative and Chair of the U.S. Commission on Immigration Reform, testifying to Congress on June 28, 1995.

❑ Keep up the good work. Here is my donation:
❑ $25 ❑ $50 ❑ $100 ❑ Other:_____

❑ I would like to become a member of ProEnglish

❑ Please send a $25 gift membership to:

Name

Street

City State ZIP

IMPORTANT:
If this is a gift membership, please print your name here:

❑ Check ❑ AMEX
❑ MasterCard ❑ Visa

Card No Exp. Date

Authorization Signature

Send to: ProEnglish • A Project of U.S.
1601 N. Kent #1100, Arlington, VA 22209

All contributions are tax deductible.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED